IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.145 OF 2005
IN
FAMILY COURT APPEAL NO.14 OF 1997

Smt.Vrushali Vinod Dingankar .. Petitioner
V/s
Shri.Vinod Ganpat Dingankar .. Respondent

Mr.M.D.Parab for the Petitioner.
Mr.Kondekar h/f Mr.G.J.Sabnis for the Respondent.

CORAM: DR.S.RADHAKRISHNAN &
SMT.V.K.TAHILRAMANI, JJ.

DATE : 25.11.2005.

P.C.:

1. Heard the learned Counsel for the parties. By this Civil Application, Petitioner is seeking to set aside the order dated 24.4.2003 whereby the Family Court Appeal was dismissed for want of prosecution. Petitioner is also seeking condonation of 750 days delay in filing the present Application.

2. It is clear from the affidvit in reply that prior to the dismissal of the Family Court Appeal, the matter was taken up for final hearing, it was heard for several occasions and was adjourned for further arguments. Inspite of the same, the Appellant has not been diligent in pursuing the Appeal. Over and above, the affidavit in reply indicates that after waiting for a period of more than a year after dismissal of the Appeal on 24.4.2003, the Respondent has got married with another lady on 26.5.2004 and the said marriage has also been registered with the Registrar of Marriages, Bandra, Mumbai.

3. Under these circumstances, we do not find any cause made out for restoration of the Family Court Appeal and for condonation of delay in filing the present Civil Application. Civil Application is totally devoid of merits. Hence, Civil Application stands dismissed.

(DR.S.RADHAKRISHNAN, J.)

(SMT.V.K.TAHILRAMANI, J.)